

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA, :

Plaintiff, : Case No. 3:06cr00008

vs. : District Judge Thomas M. Rose  
Magistrate Judge Sharon L. Ovington  
WILLIE E. WHITE, :

Defendant. :

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WILLIE E. WHITE, :

Petitioner, : Case No. 3:08cv00242

vs. : District Judge Thomas M. Rose  
Magistrate Judge Sharon L. Ovington  
UNITED STATES OF AMERICA, :

Respondent. :

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**DECISION AND ENTRY**

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The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #36), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto, that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, and that a suggestion of Petitioner's death was recently entered in the record (Doc. #38), hereby adopts said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on November 3, 2009 (Doc. #36) is ADOPTED in full;
2. Petitioner's Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. §2255 (Doc. #32) is DENIED; and
3. These cases are terminated on the docket of this Court.

November 24, 2009

*s/THOMAS M. ROSE*

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Thomas M. Rose  
United States District Judge